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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRETT MATHEW LATTIN,

Defendant.

Case No. 2:10-cr-00088-ABJ

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**PLAINTIFF'S MOTION TO RESET THE ORDER TO SHOW CAUSE HEARING**

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The United States of America, by and through the Acting United States Attorney for the District of Wyoming, and Assistant United States Attorney Jasmine M. Peters, respectfully moves this Court for an order to reset the order to show cause hearing, scheduled for October 28, 2024, at 1:30 p.m. (Doc. 73). The reasons for resetting the hearing are as follows:

1. On May 31, 2024, the United States mailed Defendant discovery in aid of collection for the debt owed by virtue the Judgment in this case. (*See* Doc. 15). The discovery documents were mailed to Defendant at his last known address and to his former attorney Christopher Wages. (*See* Doc. 68). Despite this Court granting Mr. Wages's motion to withdraw as Defendant's

counsel on June 18, 2024, the answers and responsive documents were still due thirty (30) days from the date sent. (*See* Doc. 60).

2. On August 20, 2024, the United States moved this Court for an order to compel Defendant to provide answers and responsive documents to the previously served discovery. (Doc. 68). This Court granted the motion, and Defendant was ordered to respond to the discovery by September 5, 2024. (Doc. 70).

3. On August 27, 2024, the United States Postal Service marked as undeliverable the government's service copy of the motion for an order to compel the production of responsive documents. Likewise, on September 3, 2024, the Court's order was also returned as undeliverable. (Doc. 71).

4. Although the mail was returned, the United States also emailed Defendant copies of all documents at an email address Defendant used to previously contact undersigned counsel.

5. On September 6, 2024, the United States filed a motion for order to show cause and requested the United States Marshals Service (USMS) personally serve Defendant. (Doc. 72). The Court granted the motion and set this matter for a hearing on October 28, 2024, at 1:30 p.m. (Doc. 73).

6. The USMS attempted to personally serve Defendant on September 17, 2024, at 1949 Sugarland Drive, Sheridan, WY 82801-5121 and 10 Oaktree Ct., Sheridan, WY 82801-8000. After several attempts, the USMS closed the matter as unexecuted.

7. Subsequently, the United States retained a private process server on September 25, 2024. However, service was not accomplished.

8. On September 25, 2024, the United States learned of a potentially new address for Defendant, 19920 Scanmar Lane, Cornelius, NC 28031-6305.

9. The United States requested the USMS attempt service on Defendant at the newly discovered North Carolina address. Service was returned unexecuted on October 15, 2024.

10. Although the United States has reason to believe Defendant is refusing his mail, evading service of process, ignoring this Court's order, and deliberately frustrating the efforts of the United States to collect against the Judgment, the United States requests the Court vacate the show cause hearing because Defendant has not been served. However, the United States requests the Court reset the hearing to allow for additional time to serve Defendant.

For the reasons stated above, the United States respectfully requests the Court vacate the hearing scheduled for October 28, 2024, at 1:30 p.m., and reset this matter for a hearing in six months. The United States will continue to locate Defendant to serve him with the Court's Order.

DATED this 16th day of October 2024.

ERIC HEIMANN  
Acting United States Attorney

By: /s/ Jasmine M. Peters  
JASMINE M. PETERS  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that on October 16, 2024, I served a true and correct copy of the foregoing upon Defendant, *pro se*, by depositing with the United States Postal Service, first-class postage prepaid and emailing, as follows:

Brett Mathew Lattin  
1949 Sugarland Drive  
Sheridan, WY 82801-5121

Brett Mathew Lattin  
10 Oaktree Ct.  
Sheridan, WY 82801-8000

Brett Mathew Lattin  
[bmlattin@gmail.com](mailto:bmlattin@gmail.com)

/s/ Hunter J. Davila

HUNTER J. DAVILA  
United States Attorney's Office